

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

Isar Patent 1084.1-KGB

First Inventor

JURGEN HESCHELER

Title

SEE APPENDIX

Express Mail Label No.

EV 015944077 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)

2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

3. ☒ Specification [Total Pages (preferred arrangement set forth below)

a. ☐ Computer Readable Form (CRF)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,  
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

b. Specification Sequence Listing on:

- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper

c. ☐ Statements verifying identity of above copies

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets

5. Oath or Declaration [Total Pages

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☒ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.

17. ☒ Other: APPENDIX, EXPRESS MAIL CERTIFICATE

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/446,717

Prior application information: Examiner J. WOITACH

Group / Art Unit: 1632

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by  
reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

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or ☐ Correspondence address below

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Name (Print/Type) KURT G. BRISCOE

Registration No. (Attorney/Agent)

33,141

Signature

Date

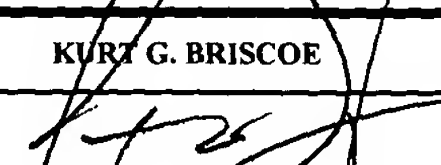
February 28, 2002

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Patent Application, Washington, DC 20231.

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<b>FEE TRANSMITTAL for FY 2002</b> <i>Patent fees are subject to annual revision.</i>		<b>Complete if Known</b>	
		Application Number	To Be Assigned
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	HEREWITH
		First Named Inventor	JURGEN HESCHELER
TOTAL AMOUNT OF PAYMENT <b>\$370.00</b>		Examiner Name	J. Weitach
		Group Art Unit	1632
		Attorney Docket No.	101541-1 / Isarpatent 1084.1-KGB

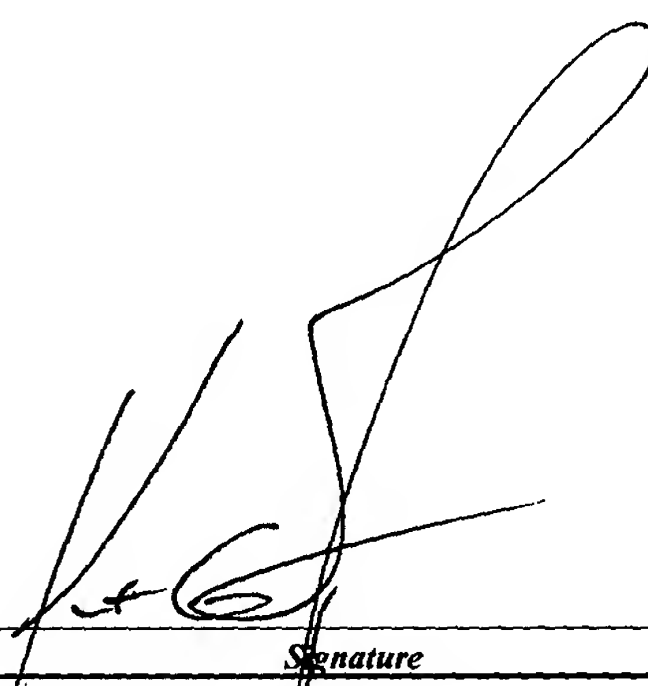
<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																									
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <b>14-1263</b> Deposit Account Name <b>Norris McLaughlin &amp; Marcus</b> The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.		<b>3. ADDITIONAL FEES</b> <table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non - English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR § 1.17(q)</td><td></td></tr><tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Statement</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="4">Other fee (specify) _____</td><td></td><td></td></tr></tbody></table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - 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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	KURT G. BRISCOE	Registration No. (Attorney/Agent)	33,141
Signature		Telephone	(212) 808-0700
		Date	February 28, 2002

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Express Mail Label EV 015944077 US

<b>TRANSMITTAL OF FORMAL DRAWINGS</b>				Docket No. <b>Isarpatent 1084.1-KGB</b>	
In Re Application Of: <b>JURGEN HESCHELER</b>					
Serial No. <b>TO BE ASSIGNED</b>	Filing Date <b>HEREWITH</b>	Batch No.	Examiner <b>J. WOITACH</b>	Art Unit <b>1632</b>	
Invention: <b>FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC REPORTERS</b>					
<p>Address to: <b>Assistant Commissioner for Patents Washington, D.C. 20231</b></p> <p>Transmitted herewith are:</p> <p><b>FOUR (4) sheets of formal drawing(s) for this application.</b></p> <p><input checked="" type="checkbox"/> Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c).</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"><div style="width: 45%; text-align: center;"> <small>Signature</small></div><div style="width: 45%; text-align: right;"><p>Dated: <u>Feb. 28, 2002</u></p></div></div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%; border: 1px solid black; padding: 5px;"><b>KURT G. BRISCOE REG. NO. 33,141 NORRIS MCLAUGHLIN &amp; MARCUS 220 EAST 42ND STREET 30TH FLOOR NEW YORK, NEW YORK 10017 TEL.: (212) 808-0700 FAX: (212) 808-0844</b></div><div style="width: 45%; border: 1px solid black; padding: 5px;"><p>I certify that this document and attached formal drawings are being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p><hr/><p style="text-align: center;"><i>Signature of Person Mailing Correspondence</i></p><hr/><p style="text-align: center;"><i>Typed or Printed Name of Person Mailing Correspondence</i></p></div></div>					

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **JURGEN HESCHELER**

Docket No.

**Isarpatent 1084.1-KGB**Serial No.  
To Be AssignedFiling Date  
HerewithExaminer  
J. WoitachGroup Art Unit  
1632Invention: **FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC REPORTERS**

I hereby certify that the following correspondence:

**Utility Patent Application Transmittal; Appendix; Fee Transmittal in duplicate; Specification consisting of description (pages 1-13); 14 Claims (pages 14-16); Abstract (page 17); 4 Pages of Drawings; Combination Declaration & Power of Attorney; Preliminary Amendment; Information Disclosure Statement; PTO 1449; Return Receipt Postcard***(Identify type of correspondence)*

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*(Signature of Person Mailing Correspondence)*EV 015944077 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**APPENDIX**

**TITLE:** FLUORESCENT PROTEINS AS CELL-TYPE SPECIFIC  
REPORTERS

**LIST OF INVENTORS:** JÜRGEN HESCHELER      Nationality: German  
Eckdorfer Strasse 7  
D-50968 Köln  
Germany

**CLAIM TO PRIORITY:**

Priority is hereby claimed under 35 USC 119 on the basis of German Application No. 197 27 962.7, filed on July 2, 1997. Priority is also claimed under 35 USC 120 on the basis of U.S. Serial No. 09/446,717, filed on April 13, 2000, now pending, which is, in turn, a 371 of PCT/EP98/03988, filed on June 30, 1998. The filing of the priority document was acknowledged in a communication from the Patent and Trademark Office dated August 14, 2000.

**ASSIGNMENT:**

The prior application is assigned to Axiogenesis AG, Auerstrasse 04; D-50733 Köln, Germany.

**“Express Mail” Mailing Label No. EV 015944077 US**  
Date of Deposit: February 28, 2002

NORRIS, McLAUGHLIN & MARCUS

By: 